

Agricultural Marketing Service, USDA

§51.2542

§51.2341 Sample size for grade determination.

For fruit place-packed in tray pack containers, the sample shall consist of the contents of the individual container. For fruit jumble-packed in volume filled containers, the sample shall consist of at least 50 fruit. When individual containers contain at least 50 fruit, each individual sample is drawn from one container. When individual containers contain less than 50 fruit, a sufficient number of adjoining containers are opened to form a 50 fruit sample.

[50 FR 40186, Oct. 2, 1985; 50 FR 40961, Oct. 8, 1985; 51 FR 4293, Feb. 4, 1986]

Subpart—United States Standards for Grades of Pistachio Nuts in the Shell

SOURCE: 51 FR 27814, Aug. 4, 1986, unless otherwise noted.

§51.2540 General.

(a) Compliance with the provisions of these standards shall not excuse failure to comply with provisions of applicable Federal or State laws.

(b) These standards are applicable to pistachio nuts in the shell which may be in a natural, dyed, raw, roasted, or salted state; or in any combination thereof. However, nuts of obviously dissimilar forms shall not be commingled.

§51.2541 Grades.

“U.S. Fancy,” “U.S. No. 1,” “U.S. No. 2,” and “U.S. No. 3” consist of pistachio nuts in the shell which meet the following requirements.

(a) Basic requirements:

- (1) Free from:
 - (i) Foreign material;
 - (ii) Loose kernels;
 - (iii) Shell pieces;
 - (iv) Particles and dust; and,
- (v) Blanks.

(b) Shells:

- (1) Free from:
 - (i) Non-split shells; and
 - (ii) Shells not split on suture.
- (2) Free from damage by:
 - (i) Adhering hull material;
 - (ii) Light stained;
 - (iii) Dark stained; and
 - (iv) Other external (shell) defects.

(c) Kernels:

(1) Well dried, or, very well dried when specified in connection with the grade.

(2) Free from damage by:

- (i) Minor mold;
- (ii) Immature kernels;
- (iii) Kernel spots; and,
- (iv) Other internal (kernel) defects.

(3) Free from serious damage by:

- (i) Minor insect or vertebrate injury;
- (ii) Insect damage;
- (iii) Mold;
- (iv) Rancidity;
- (v) Decay; and,
- (vi) Other internal (kernel) defects.

(d) The nuts are of a size not less than $\frac{29}{64}$ inch in diameter as measured by a round hole screen.

(e) For tolerances see section 51.2542.

[51 FR 27814, Aug. 4, 1986; 51 FR 28802, Aug. 12, 1986, as amended at 57 FR 1636, Jan. 15, 1992]

§51.2542 Tolerances.

(a) In order to allow for variations incident to proper grading and handling, the tolerances in Tables I, II, III and paragraph (b) of this section are provided.

TABLE I

Factor	U.S. fancy	U.S. No. 1	U.S. No. 2	U.S. No. 3
	Per-cent	Per-cent	Per-cent	Per-cent
External (shell) defects (tolerances by weight)				
(a) Non-split and not split on suture	2	3	6	10
(1) Non-split included in (a)	1	2	4	4
(b) Adhering hull material ..	1	1	2	2
(c) Light stained	7	12	20	35
(1) Dark stained, included in (c)	2	3	4	6
(d) Damage by other means	1	1	1	2
(e) Less than $\frac{29}{64}$ inch in diameter:				
(1) Small size	5	5	5	5
(2) Medium, Large, Extra Large sizes	1	1	1	1

TABLE II

Factor	U.S. fancy	U.S. No. 1	U.S. No. 2	U.S. No. 3
	Per-cent	Per-cent	Per-cent	Per-cent
Internal (kernel) defects (tolerances by weight)				
(a) Damage	3	6	8	8
(b) Serious Damage ..	3	4	5	5
(1) Insect damage, included in (b)	1	2	3	3